

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	
)	No. CR-06-024-EFS
Plaintiff,)	
)	ORDER DENYING DEFENDANT'S
v.)	MOTION FOR RELEASE WITHOUT
)	PREJUDICE
JUSTIN JOSEPH CERRUTI,)	
)	
Defendant.)	

At the August 22, 2006, hearing on Defendant's Motion to Reconsider Setting Conditions of Release (Ct. Rec. 29), Defendant was present with counsel Bevan Maxey. Assistant U.S. Attorney George Jacobs represented the United States.

Defendant has proffered an alcohol/drug evaluation. The Court took this matter under advisement, directed preparation of a Supplemental Pretrial Services report, and permitted two days time following the lodging of the Supplemental Report for the parties to comment.

The court finds the Abstemious Assessment was based upon insufficient information, and the residence of defendant's mother would not be appropriate while defendant participated in chemical dependency treatment. Accordingly, the Motion for release (**Ct. Rec. 29**) is **DENIED without prejudice** to revising by Motion to Amend if

1 defendant submits another evaluation and a new proposal for
2 treatment and residence.

3 **IT IS SO ORDERED.**

4 DATED August, 2006.

5
6 s/ CYNTHIA IMBROGNO
UNITED STATES MAGISTRATE JUDGE